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Reissue 09/771,229 (US Patent 5,867,542)

Note: All claims must be examined. There is no presumption of validity attached to the claims which were previously issued in the parent. Applicant has surrendered the claims in the filing of the Reissue application. The following cited points correspond to the items listed in the **checklist** and are provided as an aid to the reissue examination process. Please retain this note in the file wrapper to expedite the review process after allowance. Please remember to wand all cases (particularly the issued parent) so that they can be located.

(Item 1). The parent file is charged to you. Please review the prosecution history of the parent file prior to issuing an office action. Please retain the parent file with you and upon allowance of the reissue application, please return the parent file with the reissue application for final review by the SPRE.

(Item 7). The litigation for Pat. No. 5,867,542 has been ordered and is in the reissue application.

(Item 8). The patent has been assigned to Fujitsu Limited. There is no written consent of all assignees owning an undivided interest in the patent. The consent of the assignee must be in compliance with 37 CFR 1.172. See MPEP § 1410.01.

(Item 12/13). With respect to amended/new claims 1-47, amended claims 1-14 and new claim 47 appear to be broader than the patent claims, recapture must be considered. As to new claims 15-46, applicant's failure to timely file a divisional application is not considered to be error causing a patent granted on elected claims to be partially inoperative by reason of claiming less than the applicant had a right to claim. See MPEP 1402 and 35 USC 251.

(Item 17). Drawings filed with the reissue application should be considered formal and must be reviewed by the draftsman.

(Item 18). The reissue oath/declaration filed with this application is defective because the amended claims 1-14 and 47 appear to be broader than the patent claims but this error was never mentioned in the oath/declaration filed. See 37 CFR 1.175(a)(1) and MPEP § 1414.

(Misc) Please make sure that every reference listed in the Original Patent is also cited either on a PTO-892 or PTO-1449 prior to allowance.

Return this note and include the parent (when submitting the action for review) to expedite the review process. Any questions, please free to stop by the SPRE office.

Thank you
Matthew C. Bella
Work assignment in the SPRE Unit until 12/31/01.

PALM INTRANET

Day : Thursday
Date : 2/15/2001
Time : 12:22:42

Assignment Patent Number Information for 5867542

Total Assignments : 1			
Serial Number : <u>08/552543</u>		Patent Number : <u>5867542</u>	
Filling Date : 11/03/1995		Issue Date : 02/02/1999	
Related Patent Numbers:			
Title : CLOCK PHASE DETECTING CIRCUIT AND CLOCK REGENERATING CIRCUIT EACH ARRANGED IN RECEIVING UNIT OF MULTIPLEX RADIO EQUIPMENT			
Applicant(s) : <u>IWAMATSU, TAKANORI</u> <u>KIYANAGI, HIROYUKI</u>			
Reel/Frame(s) : <u>007778/0926</u>			
#1. Reel/Frame # 007778/0926			
Reel : 007778 Frame : 0926		Mailroom Date : 11/03/1995 New App Fil Rcpt Date : 01/18/1996	
Assignments Date : 02/07/1996 Date Mailed : 04/29/1996			
Date Recorded : 11/03/1995		Number of Pages : 2	
Assignor	Exc Date	Assignee :	Return Address :
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			350 5TH AVENUE,
			SUITE 6024
			NEW YORK, NEW
			YORK 10118
Brief :			
ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).			

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